

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Lafayette Business Partners, LLC,

NO. C 04-00307 JW

Plaintiff(s),

**ORDER TO SHOW CAUSE
RE: SETTLEMENT**

v.

Clifford E. Hinson, et al.,

Defendant(s).

On November 9, 2005, Plaintiff informed the Court that the above-entitled matter has reached a settlement. In light of the settlement, the Court vacates all trial and pretrial dates. On or before December 12, 2005, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **December 19, 2005 at 9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b).

On or before December 12, 2005, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

////

////

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this

1 action.

2
3 Dated: November 12, 2005

/s/ James Ware
JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Cheri MacArthur cmacarthur@pahl-gosselin.com
Diane Terese Gorczyca diane.gorczyca@sdma.com
3 Gary A. Sloboda gary.sloboda@sdma.com
Keith M. Casto keith.casto@sdma.com
4

5 Cheri MacArthur
Pahl & Gosselin
6 160 West Santa Clara Street, 14th Floor
San Jose, CA 95113
7

8 Diane Terese Gorczyca
SEDGWICK, DETERT, MORAN & ARNOLD LLP
One Embarcadero Center, 16th Floor
9 San Francisco, CA 94111-3628

10 Gary A. Sloboda
Sedgwick, Detert, Moran & Arnold
11 One Embarcadero Center, 16th Floor
San Francisco, CA 94111
12

13 Keith M. Casto
Sedgwick Detert Moran & Arnold
One Embarcadero Center, 16th Floor
14 San Francisco, CA 94111-3628
15

16 **Dated: 11/21/05**

Richard W. Wieking, Clerk

17
18 **By: JW chambers**
Ronald L. Davis
Courtroom Deputy
19
20
21
22
23
24
25
26
27
28